IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No 1057 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE J.R.VORA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

HIRALAL NATHUBHAI KATIA

Versus

DRIVER OF TRUCK NO.GTT 7126

Appearance:

MR PK SHUKLA FOR MR JK PARMAR for Petitioner No. 1

RULE SERVED for Respondent No. 1-3

CORAM : MR.JUSTICE J.R.VORA

Date of decision: 18/02/2003

ORAL JUDGEMENT

1. Heard learned Advocate Mr. P.K. Shukla for learned Advocate Mr. J.K. Parmar for the petitioner. Opponents are served.

2. This is an application filed by the present petitioner under Section 24 of the Civil Procedure Code for transfer of Motor Accident Claim Petition No. 62/91 from Motor Accident Claims Tribunal, Surat to Motor Accident Claims Tribunal, Porbandar.

3. Having regard to the averments made in para-3 of the application and since the applicant who is original petitioner in the said Motor Accident Claim Petition, is the resident of Porbandar taluka, the application is required to be allowed.

4. In this view of the matter, this Application is allowed. Motor Accident Claim Petition No. 62/91 pending before the Motor Accident Claims Tribunal at Surat is directed to be transferred to Motor Accident Claims Tribunal at Porbandar. Motor Accident Claims Tribunal, Surat is directed to transmit the record and proceedings of Motor Accident Claim Petition No.62/91 immediately to Motor Accident Claims Tribunal at Porbandar and on so receiving record and proceedings, Motor Accident Claims Tribunal at Porbandar shall register the said Motor Accident Claim Petition and proceed according to law. Rule is made absolute. No costs.

(J.R. Vora, J.)

p.n.nair